

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WORKERS UNITED,

Plaintiff,

v.

STARBUCKS CORPORATION,

Defendant.

Civil Action No. 2:23-cv-4036

**JOINT NOTICE WITHDRAWING
DEFENDANT’S MOTION TO DISMISS**

Plaintiff Workers United and Defendant Starbucks Corporation (“Starbucks”) (collectively, the “Parties”), hereby submit this Joint Notice Withdrawing Defendant’s Motion to Dismiss and state that, pursuant to this Court’s February 26, 2024 Order (Dkt. No. 31, the “Order”), which granted, in part, the Parties Joint Motion to Stay (Dkt. No. 29, the “Motion to Stay”), Starbucks hereby withdraws its Motion to Dismiss Plaintiff’s First Amended Complaint (Dkt. No. 30, the “Motion to Dismiss”) and will refile on the extended deadline set by that Order, if the Parties do not reach a settlement before that date. In support thereof, the Parties state as follows:

1. On February 23, 2024, the Parties moved this Court to stay this action until March 22, 2024, and to reset the deadline for Starbucks to respond to Plaintiff’s First Amended Complaint for the same date. (Dkt. No. 29).

2. On February 26, 2024, with the Motion to Stay pending, Starbucks filed its Motion to Dismiss by the then-current deadline. (Dkt. No. 30).

3. Thereafter, this Court entered its Order granting the Parties' Motion to Stay, in part, and extending the deadline for Starbucks to respond to the Amended Complaint until March 18, 2024. (Dkt. No. 31).

4. Given the Parties' agreement that their negotiations will be aided by a brief stay in this matter so that they may focus their time, efforts, and resources on further negotiations, without concurrently engaging in motion practice in this Court, the Parties agree that Starbucks will withdraw its Motion to Dismiss. If the Parties do not reach a settlement before the extended deadline of March 18, 2024, and the deadline is not further modified, then Starbucks will refile the motion on that date in accordance with this Court's Order.

5. The Parties note that they are seeking to extend the stay in the Iowa Action.

Respectfully submitted,

Dated: February 29, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of February 2024, I caused the foregoing Joint Notice Withdrawing Defendant's Motion to Dismiss to be electronically filed using the Court's CM/ECF system, which will send notification of such filing to all current counsel of record.

/s/ Ilana H. Eisenstein

Ilana H. Eisenstein